

Senate File 268 - Introduced

SENATE FILE 268
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1091)

A BILL FOR

1 An Act relating to the payment of attorney fees when the
2 respondent is convicted of a crime against the petitioner
3 and is incarcerated at the time of the filing of the
4 petition for dissolution of marriage.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 598.5, subsection 1, Code 2015, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. 1. State whether the respondent has been
4 convicted of a crime against the petitioner and is incarcerated
5 for such crime at the time of the filing of the petition.

6 Sec. 2. NEW SECTION. 598.19A **Attorney fees — respondent**
7 **convicted of crime against petitioner.**

8 In a dissolution of marriage action under this chapter,
9 if a petitioner includes a statement as specified in section
10 598.5, subsection 1, paragraph "1", in the petition, verifies
11 the petition, and establishes the allegations of the petition
12 by competent evidence, the petitioner shall not be subject to
13 payment of respondent's attorney fees.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill provides that if a petition for dissolution of
18 marriage includes a statement that the respondent has been
19 convicted of a crime against the petitioner and is incarcerated
20 for such crime at the time of the filing of the petition,
21 the petitioner is not subject to payment of the respondent's
22 attorney fees.